

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

LUIS VILLEGAS,

Plaintiff,

v.

HESPERIAN BOULEVARD, LLC, et al.,

Defendants.

Case No. [22-cv-00357-VC](#)


**SECOND ORDER TO SHOW CAUSE
WHY THE COURT SHOULD
EXERCISE SUPPLEMENTAL
JURISDICTION AND WHY SUBJECT
MATTER JURISDICTION EXISTS**

Federal courts may decline to exercise supplemental jurisdiction over a state law claim “in exceptional circumstances.” 28 U.S.C. § 1367(c)(4). When a “high-frequency” litigant asserts a California Unruh Act claim in federal court alongside an ADA claim, this will typically constitute an exceptional circumstance that justifies dismissal of the Unruh Act claim. *See Arroyo v. Rosas*, 19 F.4th 1202, 1211–14 (9th Cir. 2021); *Garcia v. Maciel*, 2022 WL 395316, at *2–5 (N.D. Cal. Feb. 9, 2022). High-frequency litigants include attorneys who have represented “10 or more high-frequency litigant plaintiffs” in construction-related actions resolved within the 12-month period before filing (with certain exceptions). Cal. Civ. Proc. Code § 425.55(b)(2). The plaintiff is therefore ordered to show cause why this Court should not decline to exercise supplemental jurisdiction over the Unruh Act claim based on his representation by Potter Handy.

The plaintiff and counsel must respond within 21 days of this order. Failure to respond will result in a dismissal of this action with prejudice. In the meantime, all other deadlines continue to be vacated in this case and the parties continue to be relieved from the requirements of General Order 56.

IT IS SO ORDERED.

Dated: July 11, 2022



VINCE CHHABRIA
United States District Judge